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EX PARTE OR LATE FILED

May 22, 1998

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*By Hand Delivery*

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Re: **EX PARTE**  
CC Docket No. 96-61

RECEIVED  
MAY 22 1998  
FEDERAL COMMUNICATIONS COMMISSION

Dear Ms. Salas:

Yesterday, May 21, 1998, George David of CCMI, Steve Kromer and Yvonne Goldschmidt of Tele-Tech Services, members of the Telecommunications Management Information Systems Coalition, and I met with Melissa Newman, Blaise Scinto and Susan Launer of the Common Carrier Bureau. We restated our previous arguments set forth in the pleadings filed in the above-captioned proceeding and in the attached talking points.

Two copies of this letter have been submitted to the Secretary of the Commission for inclusion in the public record, as required by Section 1.1206(b)(2) of the Commission's rules.

Sincerely,

*Cheryl A. Tritt/KMS*

Cheryl A. Tritt  
Counsel for the Telecommunications  
Management Information Systems  
Coalition

cc: Richard Welch  
Melissa Newman  
Blaise Scinto  
Susan Launer

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**DETARIFFING PROCEEDING  
CC DOCKET NO. 96-61  
MAY 21, 1998 EX PARTE PRESENTATION TO  
COMMON CARRIER BUREAU**

- The Telecommunications Management Information Systems Coalition is composed of three companies formed for the purpose of participating in this proceeding -- Salestar, CCMI and Tele-Tech. These companies are small businesses of long standing that have provided essential pricing information to their customers for the past 10-25 years. They all gather on behalf of their customers publicly available pricing information and then abstract this information or create databases and various software pricing tools utilizing his information.
- The Coalition urges the Commission to reinstitute its earlier-adopted public disclosure requirement for mass market services.

Elimination of the information disclosure requirement is contrary to the public interest.

- Without information, consumers cannot obtain sufficient information to make informed decisions about complex choices available from multitude of carriers.
  - Consumers want this information -- recent survey commissioned by Salestar, in which 85% opposed FCC's elimination of information disclosure requirement.
  - Small to medium-sized business and residential customers especially need this information given the difficulty of obtaining it independently.
  - Contrary to FCC's conclusion, billing and marketing materials are not sufficient.
    - ❖ Billing information is available only to existing customers, not potential customers making initial service decisions.
    - ❖ Bills are notoriously inaccurate and difficult to understand -- National Regulatory Research Institute study, shows between 20-25% of survey respondents reported billing errors in past 12 months, with majority involving long distance billing problems.

- ❖ Marketing materials are incomplete at best, because carriers advertise only the services they have targeted for specific customers.
- ❖ Marketing materials are inaccurate or confusing at worst. National Consumers League study showed 71% of survey participants found telecom advertising to be “confusing,” with 28% finding it “very confusing”.
- Without information, the FCC will be unable to enforce Section 254(g).
  - FCC’s initial decision concluded that publicly available information was necessary for this enforcement purpose and that carrier certifications were insufficient.
  - Without additional information on record, FCC reversed course.
  - Although FCC and state agencies can still obtain this information, they have limited resources and still rely upon public as guardians of complaint process.
  - At same time as information is limited, FCC has raised the threshold for pleading formal complaints, further limiting likelihood of effective enforcement by public.
- FCC concerns about price coordination are not eliminated by abandoning the information disclosure requirement.
  - In a competitive market more information helps the market to function more efficiently. The FCC has long characterized the long distance market as robustly competitive.
  - FCC also acknowledged that large competitors will still be able to obtain each other’s pricing information. Elimination of information disclosure, thus, fails to address any threat of price collusion but definitely harms consumers.
  - Any remaining risk of collusive pricing is diminished by availability of Sections 201-202 of the Act and federal and state antitrust laws.